

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS

BOSTON REDEVELOPMENT AUTHORITY

ORDER OF TAKING

WHEREAS, the Boston Redevelopment Authority, a public body politic and corporate, duly organized and existing pursuant to the provisions of the Housing Authority Law of the Commonwealth of Massachusetts (appearing in Massachusetts General Laws (Ter. Ed.) Chapter 121, as amended) and having its principal office in Boston, Suffolk County, Massachusetts, in pursuance of its powers as set out in said Housing Authority Law and every other power thereunto enabling, determined that the area or areas known and referred to as the Central Business District Project Area, within the City of Boston, said area being now particularly described in "Annex A" attached hereto and made a part hereof, constitutes a substandard and/or decadent area as defined in Section 26J of the Housing Authority Law and has caused a notice of such determination to be published in the City Record of the City of Boston and thirty (30) days have expired since such publication; and

WHEREAS, the Boston Redevelopment Authority is preparing an Urban Renewal Plan for the said Central Business District Project Area; and

WHEREAS, the City of Boston acting by the Mayor with the authorization of the City Council has consented to a taking by eminent domain and the State Housing Board has also consented to such a taking and have made appropriate findings in connection therewith, or in accordance with the provisions of law; and

WHEREAS, on December 14, 1965, the City of Boston has covenanted with the Boston Redevelopment Authority as follows:

"that, if said Authority at one time or from time to time acquires (by taking or otherwise), or so acquires and clears, land constituting the whole or part or parts of the so-called Central Business District Project Area, which area, after the notice and public hearing required by law, said Authority has determined to be a substandard and a decadent area and for which area said Authority is preparing an urban renewal plan, said City shall bear any and all loss that may arise as a result of such acquisition or such acquisition, relocation payments and clearance in the event that the land so acquired or so acquired and cleared is not used for urban renewal purposes because an urban renewal plan is not approved, or is amended to omit such land, or is abandoned for any reason. Consent is hereby given to the assignment by the Boston Redevelopment Authority or any or all of its rights hereunder to the United States of America"; AND

WHEREAS, public hearings on said acquisition of land in the Central Business District Project Area have been held, after due notice, including public hearings by the said Redevelopment Authority; and

WHEREAS, said Redevelopment Authority, with the written approval of the Mayor of the City of Boston and the State Housing Board, has entered into a Temporary Loan Contract for Early Land Acquisition, dated December 29, 1965, with the Housing and Home Finance Agency under Title I of the Housing Act of 1949, as amended, providing for Federal financial assistance in connection with the carrying out of said land acquisition; and

WHEREAS, the Redevelopment Authority has determined that the taking in fee simple by eminent domain of a portion of the Central Business District Project Area, which portion is hereinafter described, in "Annex B" attached hereto and made a part hereof, is necessary and reasonably required to carry out the purposes of the Housing Authority Law and the proposed Central Business District Project Area; and

WHEREAS, the Redevelopment Authority in accordance with the provisions of Section 26P, sub-paragraph (b), of said Housing Authority Law has deposited with the Mayor of the City of Boston security to his satisfaction for the payment of such damages as may be awarded in accordance with law to the owner or owners of said area, as required by General Laws (Ter. Ed.) Chapter 79, Section 40;

NOW THEREFORE, BE IT ORDERED that the Boston Redevelopment Authority, acting under the provisions of the Housing Authority Law and without limiting the generality of the foregoing, of Section 26P, of General Laws (Ter. Ed.) Chapter 121, and all other authority thereunto enabling, and pursuant to the applicable provisions of General Laws (ter. Ed.) Chapter 79, and of any and every power and authority to it, granted or implied hereby takes for itself in fee simple by eminent domain for the purposes hereinbefore set forth, the area or areas located in the City of Boston as hereinafter described in "Annex B" including all parcels of land therein, together with any and all easements and rights appurtenant hereto, including the trees, buildings, and other structures standing upon or affixed thereto, and including the fee, if any, in all public streets, highways and public ways in said area or areas or contiguous and adjacent to the property taken hereby, provided such fee is a part of said property, except any and all easements of travel in and to any and all public streets,

highways and public ways in said area or areas or contiguous and adjacent thereto, and except such parcels, easements or areas as are expressly excluded, said area or areas and the exceptions therefrom being bounded and described in "AnnexB" attached hereto and made a part hereof as though incorporated herein in full and being shown on a plan, a copy of which is to be recorded herewith, entitled, " Property and Street Line Map, Central Business District Project R-82, Boston Redevelopment Authority, Boston, Massachusetts drawn by Walter J. Hickey Associates, Inc., Quincy, Massachusetts.

AND FURTHER ORDERED that in accordance with the provisions of the General Laws, Chapter 79, Section 6, as amended, awards are by the BOSTON REDEVELOPMENT AUTHORITY for damages sustained by the owner or owners and all other persons including all mortgagees of record having any and all interest in each parcel of the areas described in "Annex B" and entitled to any damages by reason of the taking hereby made; the word, "Parcel" as herein used being construed to mean any contiguous tract of land in the same ownership, whether or not such tract consists of one or more platted lots or a fractional part thereof. The Boston Redevelopment Authority reserves the right to amend the award at any time prior to the payment thereof by reason of a change in ownership or value of said property before the right to damages therefor has become vested or for other good cause shown. The awards hereby made are set forth in "Annex C" which Annex C is not to be recorded in the Registry of Deeds with this Order of Taking.

ANNEX A

CENTRAL BUSINESS DISTRICT URBAN RENEWAL AREA

PROJECT AREA DESCRIPTION

The Central Business District Urban Renewal Area is described as follows:

Beginning at the intersection of the easterly sideline of Summer Street and the center line of Atlantic Avenue;

Thence running northeasterly along the center line of Atlantic Avenue to a point of intersection with the center line of Congress Street;

Thence turning and running in a northwesterly direction along the center line of Congress Street to a point of intersection with the extended southerly sideline of State Street;

Thence turning and running in a westerly direction along the southerly sideline of State street to the southeast corner of the Old State House;

Thence turning and running in a northerly direction along the easterly property line of said Old State House to the northeast corner of said property;

Thence turning and running in a westerly direction along the northerly property line of said Old State House to a point of intersection of said property line extended with the southerly sideline of Court Street;

Thence running in a westerly direction along the southerly sideline of Court Street to a point of intersection of said sideline with the extended easterly property line of City Hall Annex;

Thence turning and running in a southwesterly direction along said property line to a point of intersection of said property line extended with the northerly property line of City Hall;

Thence turning and running in a westerly direction along said property line to the westerly property line of City Hall;

Thence turning and running along said property line to a point of intersection of said property line with the northerly sideline of School Street;

Thence turning in a westerly direction along said sideline to a point of intersection of said sideline with the westerly sideline of Tremont Street;

Thence turning and running in a generally southerly direction along said sideline to a point of intersection of said sideline with the extended southwesterly property line of 150 Tremont Street;

Thence turning and running in a southeasterly direction along said property line and the southwesterly property line of 7 Mason Street to a point of intersection of said property lines with the westerly sideline of Mason Street;

Thence turning and running in a southwesterly direction along said sideline to a point of intersection of said sideline with the extended southerly property line of 162 Tremont Street;

Thence turning and running in a northwesterly direction along said property line to a point of intersection of said property line extended with the westerly sideline of Tremont Street;

Thence turning and running in a generally southerly direction along said sideline to a point of intersection of said sideline with the northerly sideline of Boylston Street;

Thence turning and running in a generally westerly direction along said sideline to a point of intersection of said sideline with the westerly sideline of Arlington Street;

Thence turning and running in a generally southerly direction along said sideline to a point of intersection of said sideline with the center line of Stuart Street;

Thence turning and running in a generally easterly direction along the center line of Stuart and Kneeland Streets to a point of intersection of said center line with the extended westerly property line of the Boston Terminal Company;

Thence turning and running in a generally southerly and then westerly direction along said property line and the extended southerly property line of the Boston Terminal Company to a point of intersection of said property lines with the easterly sideline of the Service road of the General Casimir Pulaski Skyway;

Thence turning and running in a southerly direction along said sideline to a point of intersection of said sideline with the northerly sideline of the Broadway Bridge;

Thence turning and running in a generally southeasterly direction along said sideline to a point of intersection of said sideline with the approximate bulkhead line on the southerly side of the Fort Point Channel;

Thence turning and running in a generally easterly or northeasterly direction along said bulkhead line to a point of intersection of said bulkhead line with the easterly sideline of Summer Street;

Thence turning and running in a northwesterly direction along said sideline to a point of intersection of said sideline with the center line of Atlantic Avenue, which is the point and place of beginning.

SUPPLEMENTAL

The following is a list of the parcels of land hereby taken as follows:

Parcel	Street Address	Proposed Owner
12-1	145-146 Washington St. 25-27 Hawley St.	A. W. Perry, Inc.
12-2	11-13 & 12 1/2 Hawley St. 145-170 Washington St.	Raymond Co., Inc.
12-3	175-176 Washington St.	F. W. Kelly, Inc.
12-4	172-174 Washington St.	ShoWare Realty, Inc.
12-5	14-16 Franklin St.	George W. Spadaro Armory Garden & President and Fellows of Harvard College

ANNEX B

BOSTON REDEVELOPMENT AUTHORITY

CENTRAL BUSINESS DISTRICT URBAN RENEWAL AREA

TAKING AREA DESCRIPTION

The following parcels of land are the only parcels taken by this

Order of Taking:

<u>Plan</u>	<u>Block</u>	<u>Parcel</u>
Plan recorded herewith	18	5
	18	6
	18	7
	18	8
	18	9
	18	10
	18	11
	19	5

SUPPOSED OWNERS

The supposed owners of the parcels of land hereby taken are as

follows:

<u>Parcel</u>	<u>Street Address</u>	<u>Supposed Owner</u>
18-5	342-344 Washington St. 23-25 Hawley St.	A. W. Perry, Inc.
18-6	31-33 & 33 1/2 Hawley St. 348-370 Washington St.	Raymond's, Inc.
18-8	376-378 Washington St.	F. W. Realty, Inc.
18-7	372-374 Washington St.	Stoddard Realty, Inc.
18-9	14-20 Franklin St.	George W. Goddard; Armory Goddard; President and Fellows of Harvard College

<u>Parcel</u>	<u>Street Address</u>	<u>Supposed Owner</u>
18-10	26 Franklin St.	A. W. Perry, Inc.
18-11	30-32 Franklin St.	Thirty Franklin St. Trust
19-5	36-40 Hawley St.	Raymond's, Inc.

The names of owners herein listed as supposed owners, although supposed to be correct, are such only as matter of information, opinion and belief and are listed for informational purposes only.

END

ANNEX C

BOSTON REDEVELOPMENT AUTHORITY
CENTRAL BUSINESS DISTRICT URBAN RENEWAL
AREA

AWARD OF DAMAGES

Awards for ORDER OF TAKING dated ~~JUL 21 1966~~ are

as follows:

<u>Block</u>	<u>Parcel</u>	<u>Damages Awarded</u>
18	5	\$ 135,000
18	6	1,400,000
18	7	150,000
18	8	200,000
18	9	175,000
18	10	265,000
18	11	250,000
19	5	70,000

